

# **Chapter 12**

## **DVO & PVRO Guidelines**

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### **1. Guideline 1 Applicants and Protected Persons**

- 1.1. Legal assistance will not generally be granted to protected persons for assistance with Domestic Violence Orders. Protected persons should usually be able to obtain assistance through Police or other legal services. For example the Domestic Violence Legal Service services clients in the Darwin region, NAAFVLS in remote communities in the Top End, KWILS in Katherine, CAAFLU in Alice Springs.
- 1.2. Legal assistance may be granted where a protected person is unable to obtain assistance through other services. The general provisions of these guidelines, including priorities, means and merits tests, apply when making a decision whether or not to provide legal assistance in these matters.

### **2. Guideline 2 Defendants**

- 2.1. Legal assistance will not be granted for defendants in DVO proceedings (whether to consent, vary the order or defend the application) unless there are exceptional circumstances.
- 2.2. In determining whether there are exceptional circumstances the general priorities in Chapter 2 (page 1, Part 1) will be taken into account.
- 2.3. Legal aid will only be granted where the applicant meets the merit test in Chapter 1 (page 5, Part 3, 4.3)

### **3. Guideline 3 Personal Violence Restraining Orders**

- 3.1. The same guidelines apply to applicants or defendants in PVROs as to defendants in DVOs.